

27147. Adulteration and misbranding of aromatic spirits of ammonia U. S. P. U. S. v. 125 Bottles of Aromatic Spirits of Ammonia U. S. P. Default decree of condemnation and destruction. (F. & D. no. 38988. Sample no. 8010-C.)

This article differed from the standard prescribed for it in the United States Pharmacopoeia in that analysis of a sample by this Department showed that it contained in each 100 cubic centimeters not more than 1.509 grams of total ammonia, and not more than 3.123 grams of ammonium carbonate; whereas the United States Pharmacopoeia provided that aromatic spirits of ammonia should contain not less than 1.7 grams of total ammonia and not less than 3.5 grams of ammonium carbonate per 100 cubic centimeters.

On January 22, 1937, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 125 bottles of aromatic spirits of ammonia U. S. P. at Perry Point, Md., alleging that the article had been shipped in interstate commerce on or about December 14, 1936, by the Varlacoid Chemical Co., from New York, N. Y., and that it was adulterated and misbranded in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, "Aromatic Spirits of Ammonia"; and it differed from the standard of strength as determined by the test laid down in said pharmacopoeia; and its own standard of strength was not stated upon the container.

It was alleged to be misbranded in that the statement, borne on the label, "Aromatic Spirits of Ammonia U. S. P.", was false and misleading in that it represented that the article conformed to the specifications of the United States Pharmacopoeia, whereas in fact it did not conform to the specifications of the pharmacopoeia.

On February 26, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

HARRY L. BROWN,
Acting Secretary of Agriculture.

27148. Misbranding of Mentos. U. S. v. 64 Bottles of Mentos. Default decree of condemnation and destruction. (F. & D. no. 39014. Sample no. 23395-C.)

The label of this article bore false and fraudulent representations regarding its curative or therapeutic effect.

On January 29, 1937, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 64 bottles of Mentos at Baltimore, Md., alleging that it had been shipped in interstate commerce on or about January 4, 1937, by J. Mento, from Philadelphia, Pa., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of sulphur, borax, ammonia, sodium bicarbonate, and water, with small quantities of perfume materials.

It was alleged to be misbranded in that the following statements regarding its curative or therapeutic effect, borne on the bottle label, falsely and fraudulently represented that it was capable of producing the effect claimed in said statements: " * * * for Dandruff, Falling Hair, Ringworm, * * * and Scalp Irritations. * * * A Medicine for Skin and Scalp Mentos * * * stimulates the glands and allows the blood to circulate freely and nourish the roots. For this reason, Mentos is recommended for scalp disorders such as psoriasis, eczema, dandruff, falling hair and scaling scalp. * * * 'Six Week' Treatment From our past experience, we have found that many persons who have taken this Six Week Treatment have obtained excellent results in the promotion of new hair growth and healthy scalp conditions."

On March 3, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

HARRY L. BROWN,
Acting Secretary of Agriculture.

27149. Misbranding of Lifsey's Vim Herb. U. S. v. 90 Bottles of Lifsey's Vim Herb. Default decree of condemnation and destruction. (F. & D. no. 39019. Sample no. 22672-C.)

The labeling of this article contained false and fraudulent representations regarding its curative and therapeutic effect.

On or about February 3, 1937, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 90 bottles of Lifsey's Vim Herb at Atlanta, Ga., alleging that it had been shipped in interstate commerce on or about November 24, 1936, by A. P. Durham from Anderson, S. C., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it was composed of plant extractives and one or more emodin-bearing drugs.

The article was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the bottle labels and cartons and contained in an enclosed circular, falsely and fraudulently represented that it would be effective as a cure or remedy for, and for the treatment or relief of, constipation; stomach, liver, and kidney disorders and all impoverished or changed conditions of the system; and disorders of the blood; and would be effective to cleanse the system and restore ills caused by or attending constipation, including fullness after meals, dizziness, biliousness, and coated tongue; effective to restore vim, vigor, vitality, and health; effective to restore perfect health; would be effective in purifying, strengthening, upbuilding, and revitalizing the system; effective in removing health-destroying poisons that cause sickness; effective in supplying perfect health and vigorous vitality; effective as a medicine for the entire system; and would afford relief from all stomach, liver, kidney, and bowel difficulties.

On March 1, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

HARRY L. BROWN,
Acting Secretary of Agriculture.

27150. Misbranding of Dunlap's Colic Remedy for Horses and Cattle. U. S. v. 15 Bottles of Dunlap's Colic Remedy for Horses and Cattle. Default decree of condemnation and destruction. (F. & D. no. 39025. Sample no. 5040-C.)

The quantity of alcohol contained in this article was misrepresented on the cartons and bottle labels. These labels and a circular enclosed in the cartons, bore and contained false and fraudulent curative or therapeutic claims.

On February 2, 1937, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 bottles of Dunlap's Colic Remedy for Horses and Cattle at Madison, Ark., alleging that it had been shipped in interstate commerce on or about January 21, 1937, by the Morna Wright Medicine Co., from Memphis, Tenn., and that it was misbranded in violation of the Food and Drugs Act.

Analysis of the article showed that it consisted essentially of alcohol (49.5 percent) and water, with small proportions of ether, ammonia, camphor, ethyl nitrite, asafetida, and extracts of plant materials.

It was alleged to be misbranded in that the statements, "Contains 35 Per Cent Alcohol", borne on the carton, and "Contains 35% Alcohol", borne on the bottle label, were false and misleading. The article was alleged to be misbranded further in that the following statements regarding its curative or therapeutic effect, borne on the bottle labels and cartons, and contained in a circular enclosed in the cartons, falsely and fraudulently represented that it was capable of producing the effect claimed in said statements: (Bottle label) "Colic Remedy for Horses and Mules * * * Warranted to relieve Colic and acts on the Kidneys"; (carton) "Colic Remedy for Horses and Mules * * * You can recommend our Colic Remedy to your customers with our assurance that it will give satisfaction. * * * Our Colic Remedy is warranted to give satisfaction. Ask any one who has tried it. In severe cases it is sometimes necessary to give the second or third dose"; (circular) "Dunlap's Colic Remedy was not devised to be sold on the basis of cheapness, but with the sole idea of producing the very best general colic remedy that possibly could be made. * * * Good Reasons for Using Dunlap's Colic Remedy: 1. Because it usually acts direct on the Kidneys and Bowels in 15 to 30 minutes, and as a rule relieves Gravel. 2. Because it will strengthen the digestive organs and give the animal a good appetite."

On March 16, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

HARRY L. BROWN,
Acting Secretary of Agriculture.